

IN THE DRAWINGS

The attached sheet of drawings includes changes to Figs. 1-23. These sheets, which include Figs. 1-23, replaces the original sheets including Figs. 1-23.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-60 are pending, with Claims 1, 4, 5, 7, 8, 11, 21, 42, 45, 53 and 54 amended and Claims 56-60 added by the present amendment. Applicants respectfully submit that no new matter is added.

In the Official Action, the drawings were objected to; Claims 1, 53 and 54 were objected to; Claims 4, 11 and 12 were rejected under 35 U.S.C. §112, second paragraph; Claim 54 was rejected under 35 U.S.C. §101; Claims 1-41 and 53-54 were rejected under a non-statutory obviousness-type double patenting rejection over Claims 1-23 of U.S. Patent 7,071,915 (hereinafter Liang); Claims 1, 3-5, 7-15 and 30 were rejected under 35 U.S.C. §102(b) as being anticipated by Ho (U.S. Patent No. 5,909,207, hereinafter Ho I); Claims 42-45, 48 and 50-52 were rejected under 35 U.S.C. §102(e) as being anticipated by Joao (U.S. Patent Publication No. 2002/0120635); Claims 1-10, 12-14 and 30 were rejected under 35 U.S.C. §102(e) as being anticipated by Ho et al. (U.S. Patent Publication No. 2003/0210226, hereinafter Ho II); Claims 1, 3, 4, 7, 8, 10, 16-29 and 42-52 were rejected under 35 U.S.C. §102(e) as being anticipated by Liang; Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ho I in view of Belfiore et al. (U.S. Patent No. 6,009,459, hereinafter Belfiore); Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ho I in view of Hay et al. (U.S. Patent Publication No. 2002/0184189, hereinafter Hay); Claims 31-41, 53 and 54 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ho I in view of Microsoft PowerPoint; and Claims 46, 47 and 49 were rejected under 35 U.S.C. §103(a) as being unpatentable over Joao in view of Ho I.

Paragraph 15 of the Official Action is unclear. The paragraph recites that Claims 31-41, 53 and 54 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent

No. 5,909,207 (Ho I) in view of Microsoft PowerPoint. However, the paragraph also describes Ho I as being a reference under 35 U.S.C. §102(e), whereas earlier in the Official Action, Ho I is identified as being a reference under 35 U.S.C. §102(b). Ho I is a reference under 35 U.S.C. §102(b). The rejection of Claims 31-41, 53 and 54 refers to an earlier rejection of Claim 30 in view of Ho. However, Claim 30 was rejected under 35 U.S.C. §102(b) in view of Ho I and under 35 U.S.C. §102(e) in view of Ho II. Applicants surmise that either a) Claims 31-41, 53 and 54 were intended to be rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0210226 (Ho II) in view of Microsoft PowerPoint; or b) the discussion about 35 U.S.C. §102(e) was included in paragraph 15 in error. For purposes of this response, Applicants assume that Claims 31-41, 53 and 54 were intended to be rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0210226 (Ho II) in view of Microsoft PowerPoint. Thus, in view of the statements below regarding 35 U.S.C. § 103(c), Applicants submit the rejection recited in paragraph 15 of the Official Action is overcome. Applicants request clarification/correction of this rejection in the next Official Action.

Formal figures are submitted herewith. The figures are amended as requested in the Official Action. Claim 1 is amended to overcome the objection recited in paragraph 2 of the Official Action. Claims 4 and 12 are amended to overcome the outstanding rejection under 35 U.S.C. § 112, second paragraph. Claims 53 and 54 are amended to overcome the objection under 37 C.F.R. § 1.75(c). Claim 54 is further amended to overcome the rejection under 35 U.S.C. § 101.

Applicants traverse the rejection of Claim 12 under 35 U.S.C. §112, second paragraph. Applicants' originally filed specification recites "when the jump cursor 111 is moved up and down the thickness within the rectangle 150, it can access pages to a finer level than on the original thickness 102. Further 'enlargements' of thickness 102 is also possible that leads to

even finer access of the pages on the thickness 102." Applicants note that by reciting an original thickness 102 and a finer than original thickness, Applicants describe both a fine and a coarse thickness indicator. That is the original thickness 102 corresponds to Applicants' claimed coarse thickness indicator and there is at least one additional fine thickness indicator.

In view of Applicants' amendment to independent Claims 1 and 42, Applicants submit the outstanding non-statutory obviousness-type double patenting rejection is moot.

Applicants submit that at the time the claimed invention was made, the subject matter of U.S. Patent 7,071,915 (Liang, a reference only under 35 U.S.C. § 102(e)), U.S. Patent Publication No. 2003/0210226 (Ho II, a reference only under 35 U.S.C. § 102(e)) and the claimed invention were owned by the same person, or were subject to an obligation of assignment to the same person. Thus, under 35 U.S.C. § 103(c), rejections under 35 U.S.C. § 103(a) in view of U.S. Patent 7,071,915 (Liang) or U.S. Patent Publication No. 2003/0210226 (Ho II) are moot.

Liang, Ho I and Ho II each do not disclose or suggest the combination of features recited in amended Claim 1. Thus, the corresponding rejections under 35 U.S.C. 102(b) and 35 U.S.C. 102(e) in view of Liang, Ho I and Ho II are overcome.

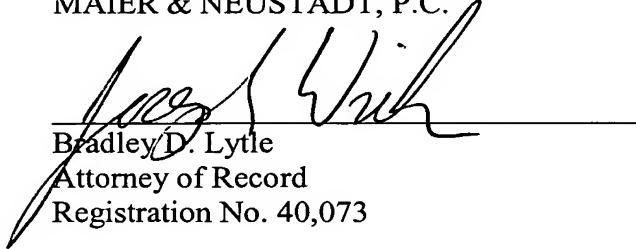
Joao does not disclose or suggest a controller configured to a) control a display on a display screen of a page flipping through said electronic book; b) select a menu for display on said display screen; c) select an item displayed on said menu; and d) eject a tangible memory medium from said memory and control device, as recited in amended Claim 42.

Application No. 10/661,599
Reply to Office Action of September 11, 2006.

Accordingly, in view of the present amendment and in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Joseph Wrkich
Registration No. 53,796

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 03/06)
MM/rac

I:\ATTY\JW\242142US\242142US-AM.DOC